

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BOUSTANI, Roland et al.

Examiner: John P. Lacyk

Serial No.: 10/516,350 (Now Patent 7,288,064)

Group Art Unit: 3735

Filed: March 31, 2006

Confirmation No. 3065

Title: GASTRIC RING

REQUEST FOR REFUND UNDER 35 U.S.C. 42(d) and 37 CFR 1.26

Mail Stop 16

Director of the US Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicants paid the large entity Issue and Publication Fees of \$1700.00 on September 19, 2007 in the above identified application (copies of which are attached hereto). However, an error occurred in paying the fees as applicants qualify as a small entity, thus reducing the fees by one-half to \$850.00.

Under 35 U.S.C. §42(d) and 37 CFR §1.26, "the Office may refund a fee paid by mistake (e.g., fee paid when no fee is required)". Therefore, it is respectfully requested that a refund of \$850.00 be credited to counsel's Deposit Account No. 13-3402.

Should the Office have any questions or concerns, kindly telephone the undersigned below.

Respectfully submitted,

/John A. Sopp/

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